



TEXAS GENERAL LAND OFFICE

DISASTER RECOVERY PROGRAM

Fair Housing, Zoning and Neighborhood Impact

There are many resources available to local jurisdictions on how zoning codes, land use controls, and administrative practices may impede fair housing choice and fail to affirmatively further fair housing (AFFH).

- HUD's [Fair Housing Planning Guide](#), Section 5-3 outlines questions for a jurisdiction to ask itself and outlines possible actions to be taken by the jurisdiction. Use the planning guide as a starting point for your jurisdiction's evaluation of its zoning codes, land use controls, and administrative practices.
- The [U. S. Department of Justice \(DOJ\), Civil Rights Division, Housing and Civil Enforcement Section](#) is another resource for Fair Housing related issues.

The following are relevant guidance documents provided by the DOJ:

- Justice Department Policy Statement on the [Religious Land Use and Institutionalized Persons Act](#) -- September 2010
- Joint Statement of [the Department of Housing and Urban Development and the Department of Justice on Reasonable Modifications under the Fair Housing Act](#) -- March 2008
- Joint Statement of the [Department of Housing and Urban Development and the Department of Justice - Reasonable Accommodations under the Fair Housing Act \(PDF Version 176KB\)](#) -- May 2004
- Joint Statement of the [Departments of Justice and of Housing and Urban Development on Group Homes, Land Use, and the Fair Housing Act](#)

There are numerous nonprofits and other units of local government that have developed guidance for Fair Housing and zoning. Your local jurisdiction may choose to reach out to these entities locally.

Once the jurisdiction has completed the review of the zoning codes, land use controls, and administrative practices, any impediments identified to Fair Housing will need to be addressed.

Each local jurisdiction may choose to incorporate guidance for those responsible for developing codes/ordinances that reminds them to consider and document the Fair Housing /AFFH implications. An example of this type of review would be to involve local counsel in the review of Fair Housing implications of any proposed codes/ordinances.